

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.10330 of 2021(O&M)
Date of Decision: 10.03.2021**

Anil Verma

.....Petitioner

Vs

State of Haryana

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. S.K. Tripathi, Advocate
for the petitioner.

Mr. Rajat Gautam, DAG, Haryana.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.102 dated 27.01.2019 registered under Sections 406, 420 IPC at Police Station Shivaji Nagar, District Gurugram.

Perusal of the FIR would show that the allegations are of cheating in a sum of Rs.5 lacs by the petitioner. Complainant has alleged that an agreement to sell was executed between the petitioner and the complainant on 27.02.2017 and that

agreement to sell was not honoured by the petitioner.

Learned counsel for the petitioner submits that the FIR in question came to be registered only on 27.01.2019. Petitioner was arrested on 09.10.2020. Learned counsel further submits that in respect of blank cheque issued in favour of the complainant, a complaint under Section 138 of the Negotiable Instruments Act is pending before the concerned Court. Challan has been presented and the petitioner is in judicial custody.

Per contra, learned State counsel opposed the bail on the ground that the petitioner has cheated the complainant. Before entering into agreement to sell, the petitioner had already sold the land in question to one Renu Sharma on 14.08.2017. Entering into agreement to sell on that premise was the result of pre-meditated mind to cheat the complainant. Learned State counsel further submits that the petitioner is having antecedent behaviour of criminal activities as he is involved in two more cases.

In view of aforesaid facts and circumstances of the case, I deem it appropriate to enlarge the petitioner on regular bail without advertting to the merits of the case.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial

Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

10.03.2021

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No